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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 (SAN FRANCISCO DIVISION)
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12 CALIFORNIA SERVICE EMPLOYEES
HEALTH & WELFARE TRUST FUND,
13 MIKE GARCIA, Trustee, CHARLES
GILCHRIST, Trustee, RAYMOND C. NANN,
14 Trustee, LARRY T. SMITH, Trustee,

15 Plaintiffs,

16 vs.

17 A & B MAINTENANCE, INC., a California
corporation,

18 Defendant.
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Case No.: C 07-04945 TEH

PARTIAL JUDGMENT BY DEFAULT

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21 The Defendant, A & B Maintenance, Inc., having failed to appear, its default having been
22 entered, and upon application of the Plaintiffs for a Partial Judgment by Default,

23 IT IS HEREBY ORDERED as follows:

24 1. Within twenty-one (21) days of the date of the entry of this judgment, Defendant
25 A & B Maintenance, Inc. ("A & B") shall permit entry upon its premises an independent auditor
26 selected by Plaintiff Trust and shall provide access to its business records for the purpose of
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1 conducting an audit of the accuracy of its benefit contributions to the Trust, including all
2 categories of records identified in the Trust Agreement of the Trust;

3 2. Defendant A & B is enjoined from further breaches of its obligation to contribute to
4 the Trust under ERISA and under the applicable collective bargaining agreements and the Trust
5 Agreement and effective with the entry date of this Judgment, shall resume submission of reports
6 of hours worked by its covered employees and payment of contributions due;
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8 3. Defendant A & B is enjoined from transferring any of the assets of A & B to its
9 owners, officers and/or directors, other than ordinary salary payments, during the pendency of this
10 action; and

11 4. The Court shall retain jurisdiction of this matter pending its resolution.
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14 Dated: _____
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16 THELTON E. HENDERSON, SENIOR JUDGE
17 UNITED STATES DISTRICT COURT
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PROOF OF SERVICE

I am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 120 Howard Street, Suite 520, San Francisco, California 94105.

On November 30, 2007, I served the following documents on the parties to this action, addressed as follows, in the manner described below:

PARTIAL JUDGMENT BY DEFAULT

XX **MAIL**, being familiar with the practice of this office for the collection and the processing of correspondence for mailing with the United States Postal Service, and deposited in the United States Mail copies of the same to the business addresses set forth below, in a sealed envelope fully prepared.

Addressed to:

A & B Maintenance, Inc.
405 East Gardena Blvd., Suite A
Gardena, CA 90247

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 30th day of November, 2007 at San Francisco, California.


Julie Jellen

xs